

Defendants Todd Kulkin and Law Offices of Todd Kulkin, P.C., (collectively “Defendants”), by and through their undersigned counsel, answer Plaintiff’s complaint as follows:

INTRODUCTION

1. Paragraph 1 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 1.

2. Paragraph 2 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 2.

3. Paragraph 3 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 3.

4. Paragraph 4 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 4.

5. Paragraph 5 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 5.

6. Paragraph 6 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 6.

7. Paragraph 7 states Plaintiff’s legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 7.

PARTIES, JURISDICTION, AND VENUE

8. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 8.

9. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 9.

10. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 10.
11. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 11.
12. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 12.
13. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 13.
14. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 14.
15. Paragraph 15 is admitted.
16. Paragraph 16 is admitted.
17. Defendants lack sufficient knowledge as to form a belief to the truth of paragraph 17.
18. Defendants lack sufficient knowledge as to form a belief to the truth of paragraph 18.
19. Paragraph 19 is denied.
20. Paragraph 20 is denied.

GENERAL ALLEGATIONS

21. Defendants lack sufficient knowledge to form a belief as to the truth of paragraph 22.
22. Paragraph 22 is denied.
23. Paragraph 23 is denied.

24. Paragraph 24 is denied.
25. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 25.
26. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 26.
27. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 27.
28. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 28.
29. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 29.
30. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 30.
31. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 31.
32. Paragraph 32 is denied.
33. Paragraph 33 is denied.
34. Paragraph 34 is denied.
35. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 35.
36. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 36.
37. Paragraph 37 is denied.

38. Paragraph 38 is denied.

39. Paragraph 39 is denied.

40. Paragraph 40 is denied.

41. Paragraph 41 is admitted to the extent that Defendants did not have an escrow agreement with Plaintiff.

42. Paragraph 42 is denied.

43. Paragraph 43 is denied.

44. Paragraph 44 is denied.

45. Paragraph 45 is denied.

46. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 46.

47. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 47.

48. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 48.

49. Paragraph 49 is denied.

50. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 50.

51. Paragraph 51 is denied.

52. Paragraph 52 states Plaintiff's legal theory to which no response is required. To the extent a response is required, Defendants deny Paragraph 52.

53. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 53.

54. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 54.

55. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 55.

56. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 56.

57. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 57.

58. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 58.

59. Paragraph 59 is denied with respect to allegations regarding Defendants. Defendants lack sufficient knowledge to form a belief as to the truth of other allegations contained within Paragraph 59.

60. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 60.

61. Paragraph 61 is denied with respect to allegations regarding Defendants. Defendants lack sufficient knowledge to form a belief as to the truth of other allegations contained within Paragraph 61.

62. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 62.

63. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 63.

64. Paragraph 64 is denied.

65. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 65.

66. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 66.

67. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 67.

68. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 68.

69. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 69.

70. Paragraph 70 is admitted inasmuch as Defendants acknowledged receipt of Plaintiff's emails. Paragraph 70 is denied as to allegations that he discussed the demands with Defendant Karnik, that he was familiar with or involved in a scam, or that he acknowledged receipt of the wire payment.

71. Paragraph 71 is denied.

72. Paragraph 72 is denied.

73. Paragraph 73 is denied.

74. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 74.

75. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 75.

76. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 76.

77. Paragraph 77 is denied.

78. Paragraph 78 is denied.

79. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 79.

80. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 80.

81. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 81.

82. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 82.

83. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 83.

84. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 84.

COUNT I

85. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

86. Paragraph 86 is admitted.

87. Paragraph 87 is denied.

88. Paragraph 88 is denied.

89. Paragraph 89 is denied.

90. Paragraph 90 is denied.

91. Paragraph 91 is denied.

92. Paragraph 92 is denied.

93. Paragraph 93 is denied.

COUNT II

94. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

95. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 95.

96. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 96.

97. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 97.

98. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 98.

COUNT III

99. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

100. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 100.

101. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 101.

102. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 102.

103. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 103.

COUNT IV

104. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

105. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 105.

106. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 106.

107. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 107.

COUNT V

108. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

109. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 109.

110. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 110.

111. Defendants lack sufficient knowledge to form a belief as to the truth of Paragraph 111.

COUNT VI

112. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

113. Paragraph 113 is denied.

114. Paragraph 114 is denied.

115. Paragraph 115 is denied.

116. Paragraph 116 is denied.

COUNT VII

117. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

118. Paragraph 118 is denied.

119. Paragraph 119 is denied.

120. Paragraph 120 is denied.

121. Paragraph 121 is denied.

COUNT VIII

122. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

123. Paragraph 123 is denied.

124. Paragraph 124 is denied.

125. Paragraph 125 is denied.

COUNT IX

126. Defendants repeat and reallege each and every response of the foregoing paragraphs in this Answer.

127. Paragraph 127 is denied.

128. Paragraph 128 is denied.

129. Paragraph 129 is denied.

AFFIRMATIVE DEFENSES

1. The Complaint fails to state a cause of action upon which relief may be granted.
2. The Court lacks subject matter jurisdiction over the claims in the Complaint.
3. Defendants did not owe a fiduciary duty to Plaintiff.
4. Defendants were not a party to any agreement with Plaintiff.
5. Plaintiff's claims are barred in whole or in part by the doctrine of equitable estoppel.
6. Plaintiff failed to mitigate her damages, if any.
7. Defendants reserve the right to amend these affirmative defenses upon the discovery of such additional facts or other bases warranting the assertion of such additional defenses.

Dated: September 29, 2022
New York, New York

GERARD FOX LAW P.C.

/s/ Ryan P. Dolan

Ryan P. Dolan

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